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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/718,974	
	Filing Date	Novembr 20, 2003	
	First Named Inventor	Mark H. Eskridge	
	Art Unit	2856	
	Examiner Name	Helen C. Kwok	
Total Number of Pages in This Submission	3	Attorney Docket Number	H0006055

ENCLOSURES (Check all that apply)		
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<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
Firm or Individual name	Charles J. Rupnick (Reg. No.: 43,068)	
Signature		
Date	October 12, 2004	

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
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Signature		Date	October 12, 2004

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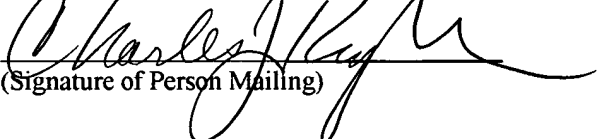
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No. : 10/718,974  
Inventor(s) : Mark H. Eskridge  
Filed : November 20, 2003  
TC/A.U. : 2856  
Examiner : Helen C. Kwok

Confirmation No.: 2729

Docket No. : H0006055  
Customer No. : 00128

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

In response to the Restriction Requirement mailed on September 13, 2004, the Applicant elects without traverse the Group I, claims 1-16 drawn to a micro-electro-mechanical system (MEMS) sensor device, for prosecution on the merits in the present application.

Serial No. 10/718,974  
Reply dated October 12, 2004  
Reply to Restriction Requirement of Sept. 17, 2004

The Applicant expressly reserves the right to pursue the remaining non-elected Groups II, claims 17-20 drawn to a method for forming a capacitive pick-off acceleration-sensing device, in one or more additional Divisional applications.

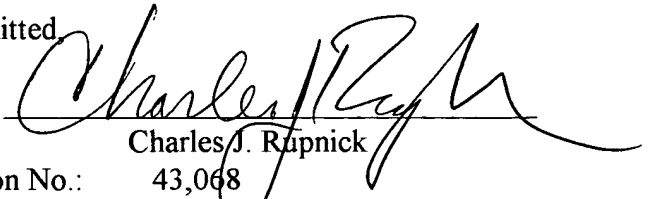
5 No Fee is believed due for this response. If a Fee is due, please contact the undersigned at the telephone number given below.

If the Examiner has questions or wish to discuss any aspect of this inquiry, the Examiner is encouraged to contact the undersigned at the telephone number given below.

Respectfully submitted,

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Attorney:



Charles J. Rupnick

Registration No.: 43,068

Date: October 12, 2004

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